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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/584,224	06/23/2006	David Faure	4590-552	9733
33308 7590 05/01/2009 LOWE HAUPTMAN & BERNER, LLP 1700 DIAGONAL ROAD, SUITE 300 ALEXANDRIA, VA 22314				
EXAMINER				
THANGAVELU, KANDASAMY				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/584,224

Applicant(s)

FAURE ET AL.

Examiner

KANDASAMY THANGAVELU

Art Unit

2123

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 6/23/06: 4/15/09
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Introduction

1. Claims 10-18 of the application have been examined.

Foreign Priority

2. Acknowledgment is made of applicant's claim for foreign priority based on an application 0315354-1 filed in France on 12/24/2003 and the PCT application PCT/EP2004/053527 filed on December 16, 2004. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. Acknowledgment is made of the information disclosure statements filed on June 23, 2006 and April 15, 2009 together with copies of papers. The papers have been considered.

Drawings

4. The drawings submitted on June 23, 2006 are accepted.

Claim Objections

5. The following is a quotation of 37 C.F.R § 1.75 (d)(1):

The claim or claims must conform to the invention as set forth in the remainder of the specification and terms and phrases in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description.

6. Claims 10-17 are objected to because of the following informalities:

In claim 10, Lines 2-5, “comprising the steps of enhancing with the current state of the user in his task on the basis of an existing task model, the events allowing a change of state of the user are described, and describing the interaction to be performed with the user to manage an event for this event occurring during a state of the user” appears to be incorrect and it appears that it should be “comprising the steps of:

enhancing the current state of the user in his task on the basis of an existing task model,
describing the events allowing a change of state of the user, and
describing the interaction to be performed with the user to manage an event occurring during a state of the user”.

In claim 11, Lines 1-2, “wherein before each interaction procedure, the list of constraints necessary for triggering the interaction is added” appears to be incorrect and it appears that it

should be “further comprising before each interaction procedure, adding the list of constraints necessary for triggering the interaction”.

In claim 12, Lines 1-3, “wherein after each interaction procedure, the values that this interaction should provide according to the result of the interaction and which should be presented to the user as feedback are added” appears to be incorrect and it appears that it should be “further comprising after each interaction procedure, adding the values that this interaction should provide according to the result of the interaction and presenting the values to the user as feedback”.

In claim 13, Lines 1-2, “wherein an external module which provides an abstraction of the actions of the user in the form of high-level events is used” appears to be incorrect and it appears that it should be “further comprising providing an abstraction of the actions of the user in the form of high-level events using an external module”.

In claim 14, Lines 1-2, “wherein the task model is modified in real time” appears to be incorrect and it appears that it should be “further comprising modifying the task model in real time”.

In claim 15, Lines 1-2, “wherein the interaction with the user is modified in real time” appears to be incorrect and it appears that it should be “further comprising modifying the interaction with the user in real time”.

In claim 16, Lines 1-2, “wherein a learning module carries out learning on the basis of the activity of a user, according to the enhanced task model” appears to be incorrect and it appears that it should be “further comprising carrying out learning on the basis of the activity of a user, according to the enhanced task model using a learning module”.

In claim 17, Lines 1-2, “wherein the specifications of the man-machine interface services are derived from the enhanced task model” appears to be incorrect and it appears that it should be “further comprising deriving the specifications of the man- machine interface services from the enhanced task model”.

Appropriate corrections are required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 10-13 and 16-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In Claim 10, Lines 1-5, “the management”, “the current state”, “the user”, “the basis”, “the events” and “the interaction” have no antecedent bases.

In Claim 11, Lines 1-2, “the list” and “the interaction” have no antecedent bases.

In Claim 12, Lines 2-3, “the values” and “the result” have no antecedent bases.

In Claim 13, Lines 2-3, “the actions” and “the form” have no antecedent bases.

In Claim 16, Lines 2-3, "the basis" and "the activity" have no antecedent bases.

In Claim 17, Lines 1-2, "the specifications" and "the man- machine interface services" have no antecedent bases.

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 10-18 are rejected under 35 U.S.C. 101 because the claimed inventions are directed to non-statutory subject matter.

10.1 Claims 10-18 are drawn to a method, considered a process. According to the current guidance, a proper process that qualifies as a patent eligible process under 35 USC 101 must either be tied to another statutory class (such as a particular apparatus) or transform the underlying subject matter (such as an article or materials) to a different state or thing. If neither of these requirements is met by the claim, the method is not a patent eligible process under 35 USC 101. Because the instant claims do not transform the underlying subject matter to a different state or thing and the process is not tied to another statutory class, the claims are being held as non-statutory under 35 USC 101.

In addition, none of the steps in the independent claim and the dependent claims are indicated to be executed in a computing device or an apparatus.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

12. Claims 10-18 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Reisman** (U.S. Patent Application 2004/0031058).

12.1 **Reisman** teaches method and apparatus for browsing using alternative link bases.

Specifically, as per claim 10, **Reisman** teaches a method of enhancing a task model so as to allow the management of man- machine interaction (Abstract, L3-7; Fig. 3, Items 324 and 334; Page 1, Para 0002, L4-5; Pages 6 and 7, Para 0053; Page 7, Para 0055, L12-13; Page 9, Para 0065, L1-5), comprising the steps of:

enhancing with the current state of the user in his task on the basis of an existing task model (Fig. 4; Fig. 5, Items 540 and 550; Page 3, Para 0027, L3-6; Page 4, Para 0037, L5-7; Page 6, Para 0052, L4-5; Page 7, Para 0054, L1-4, L18-19 and L23-25; Page 7, Para 0055, L12-13; Page 7, Para 0057, L24-26), the events allowing a change of state of the user are described

(Page 3, Para 0030, L3-5; Page 4, Para 0037, L10-11; Page 7, Para 0056, L14-16; Page 7, Para 0057, L24-26; Page 40, Para 0322, L10-12; Page 54, Para 0486, L6-8; Page 55, Para 0487, L7-12), and describing the interaction to be performed with the user to manage an event for this event occurring during a state of the user (Page 1, Para 0002, L4-5; Page 4, Para 0037, L10-11; Page 7, Para 0054, L23-25; Page 9, Para 0065, L1-5; Page 50, Para 0451, L7-10).

Per claim 12: **Reisman** teaches that after each interaction procedure, the values that this interaction should provide according to the result of the interaction and which should be presented to the user as feedback are added (Page 18, Para 0127, L1-6; Page 44, Para 0368, L32-35).

Per claim 13: **Reisman** teaches that an external module which provides an abstraction of the actions of the user in the form of high-level events is used (Page 18, Para 0127, L1-6).

Per claim 14: **Reisman** teaches that the task model is modified in real time (Pages 6-7, Para 0053; Page 7, Para 0055, L12-13; Page 40, Para 0320, L7-9).

Per claim 15: **Reisman** teaches that the interaction with the user is modified in real time (Page 1, Para 0002, L4-5; Page 4, Para 0037, L10-11; Page 7, Para 0054, L23-25; Page 9, Para 0065, L1-5; Page 50, Para 0451, L7-10).

Per claim 17: **Reisman** teaches that the specifications of the man- machine interface services are derived from the enhanced task model (Page 83, Para 0786, L5-7).

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Kandasamy Thangavelu whose telephone number is 571-272-3717. The examiner can normally be reached on Monday through Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez, can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kandasamy Thangavelu/
Art Unit 2123
April 28, 2009